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Assistant Commissioner for Patents

Washington, D.C. 20231 on April 26, 2001

David Saliwanchik

David R. Saliwanchik, Patent Attorney

Patent Application  
Docket No. SPO-112  
Serial No. 09/762,842

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Akira Murasugi, Yukio Asami, Isao Kido, Hideshi Kumai  
Serial No. : 09/762,842  
Filed : February 12, 2001  
For : High Level Secretory Expression System of Intact MK Family Protein

BOX PCT/MISSING REQUIREMENTS

Assistant Commissioner for Patents  
Washington, D.C. 20231

12/31/2001 MNNGUYEN 00000003 190065 09762842 TRANSMITTAL LETTER

01 SER156 130.00 CH

A Notification of Missing Requirements Under 35 U.S.C. 371 was received from the United States Designated/Elected Office (DO/EO/US) requesting an English translation of the subject application and an executed Declaration and Power of Attorney form. The applicants note that the Notification of Missing Requirements indicates that the translation has already been received by the Patent Office. However, transmitted herewith is an English translation of the subject application and a fully executed Declaration (37 CFR 1.63) and Power of Attorney form. A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 is attached hereto.

Please charge the surcharge of \$130 for the late-filed Declaration (37 CFR 1.63) to Deposit Acct. No. 19-0065. The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 19-0065. Two copies of this letter are enclosed.

Respectfully submitted,



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DRS/la

Attachments: English translation of the subject application;  
Declaration (37 CFR 1.63) and Power of Attorney form; and  
Copy of Notification of Missing Requirements



09/762842



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
107777-001	International	PC 107777-001
Priority Data:		INTERNATIONAL APPLICATION NO.
Filing Date: 09/17/1996		PC 107777-001
Priority Date: 09/17/1996		09/17/1996
DATE MAILED: 09/17/1996		

### NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371 (c)(4) for entry into the national stage in the United States of America. The period within which to correct these requirements and avoid abandonment is set in the accompanying Office action.

A new oath or declaration, identifying this application by the international application number and international filing date is required. The oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:

1.  is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2.  does not identify the specification to which it is directed.
3.  does not identify the inventor(s).
4.  does not identify the citizenship of each inventor.
5.  does not state the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b) WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1.  does not identify the city and state or city and foreign country of residence or each inventor.
2.  does not state that the person making the oath or declaration:
  - a.  has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
  - b.  acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
3.  does not identify the foreign application for patent or inventor's certificate on which priority is claimed pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.
4.  does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and filing date of the continuation in part application which discloses and claims subject matter in addition to that disclosed in the prior application (37 CFR 1.63(d)).

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